

## CLASSIFICATION OFFICE DECISION

**Title of publication:** upskirt\_free\_07.jpg

**Other known title(s):** Not stated

**OFLC ref:** 1300545.013

**Medium:** Computer Image File

**Publisher:** Not stated

**Country of origin:** Not stated

**Language:** Not applicable

**Applicant:** The District Court At Timaru

<b>Classification:</b>	Unrestricted.
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 08 July 2013

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** No notice of decision has been issued

### Summary of reasons for decision:

The image on the file shows a girl in a blue dress astride the back of a man. Two unseen men, one on either side of the girl, reach out their hands and lift her skirt to show her briefs, buttocks and thighs. The incident takes place in the middle of a watching crowd and any serious sexual intent is unlikely. Although some viewers will read the situation in a sexual way, most will see it as the result of a cheeky piece of horseplay. In these circumstances, a ban would be unreasonable.

The unrestricted classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.